

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division

IVERY HICKS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 3:11-cv-615
	)	
FRIEDMAN & MACFADYEN, P.A.,	)	
et al.,	)	
	)	
Defendants.	)	

**MOTION FOR ENLARGEMENT OF TIME  
TO FILE A RESPONSIVE PLEADING**

Defendants Friedman & MacFadyen, P.A., Miriam S. Fuchs, Jeffrey Huston, James J. Loftus, Kenneth J. MacFadyen, and Daniel Menchel ("Defendants") move the Court for an order, pursuant to Fed. R. Civ. Pro. 6(b), extending the time for Defendants to file their responsive pleading. In support of this motion, Defendants state:

1. Plaintiff and Defendants are engaged in settlement negotiations.
2. Those negotiations include plans to engage in mediation of this matter and other matters.
3. The parties anticipate seeking an order from the Court staying this matter and other matters while the negotiation is pending.
4. To avoid incurring unnecessary costs and expense while the negotiations are pending, the parties wish to extend the time by which a responsive pleading is due in this matter.
5. The parties agree that the extension should be until the later of November 15, 2011 or until twenty-one (21) days after the expiration of any stay entered before November 15, 2011 in this case.

6. Plaintiff joins in this motion.

For the foregoing reasons, the parties respectfully request that the date by which a responsive pleading in this matter is due from Defendants be extended until the later of November 15, 2011 or until twenty-one (21) days after the expiration of any stay entered before November 15, 2011 in this case.

DATED: November 4, 2011

**Respectfully Submitted,**

**FRIEDMAN & MACFADYEN, P.A.,  
MIRIAM S. FUCHS, JEFFREY HUSTON,  
JAMES J. LOFTUS,  
KENNETH J. MACFADYEN, AND  
DANIEL MENCHEL**

**By Counsel**

/s/ Cullen D. Seltzer

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*Counsel for Defendants*

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of November, 2011, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of electronic filing (NEF) to the following:

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